

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 14, 2021

Hearing Room 1675

11:00 AM

2:00-00000 LOG IN ZOOM INFO. ONLY FOR 11 A.M. CALENDAR.

Chapter

#0.00 All hearings on this calendar will be conducted remotely, using ZoomGov video and audio.

Parties in interest and members of the public may connect to the video and audio feeds, free of charge, using the connection information provided below.

Individuals may participate by ZoomGov video and audio using a personal computer (equipped with camera, microphone and speaker), or a handheld mobile device (such as an iPhone or Android phone). Individuals may opt to participate by audio only using a telephone (standard telephone charges may apply).

Neither a Zoom nor a ZoomGov account is necessary to participate and no pre-registration is required. The audio portion of each hearing will be recorded electronically by the Court and constitutes its official record.

Video/audio web address: <https://cacb.zoomgov.com/j/1614109523>

ZoomGov meeting number: 161 410 9523

Password: 686823

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

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**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

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Hearing Room 1675

11:00 AM

CONT...

LOG IN ZOOM INFO. ONLY FOR 11 A.M. CALENDAR.

Chapter

<https://www.cacb.uscourts.gov/judges/honorable-robert-n-kwan> under the "Telephonic Instructions" section.

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- Connect early so that you have time to check in.
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- Mute your audio to minimize background noise unless and until it is your turn to speak. Consider turning your video off until it is your turn to appear.
- Say your name every time you speak.
- Disconnect from the meeting by clicking "Leave" when you have completed your appearance(s).

Docket 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, September 14, 2021

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

Adv#: 2:18-01139 People Who Care Youth Center, Inc. v. Ammec, Inc. et al

#1.00 Cont'd hearing re: Second motion for attorney's fees and costs
fr. 7/15/21, 8/3/21, 9/7/21

Docket 221

Tentative Ruling:

Updated tentative ruling as of 9/7/21. No tentative ruling on the merits. Appearances are required on 9/14/21 to discuss rescheduling the final hearing on the motion, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Video/audio web address: <https://cacb.zoomgov.com/j/1614109523>

ZoomGov meeting number: 161 410 9523

Password: 686823

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

Defendant(s):

Ammec, Inc.

Represented By

**United States Bankruptcy Court
Central District of California
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Tuesday, September 14, 2021

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11:00 AM

CONT... People Who Care Youth Center, Inc.

Chapter 11

John Barriage

Greta Curtis

Pro Se

Plaintiff(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, September 14, 2021

Hearing Room 1675

11:00 AM

2:18-10290 People Who Care Youth Center, Inc.

Chapter 11

Adv#: 2:18-01139 People Who Care Youth Center, Inc. v. Ammec, Inc. et al

#2.00 Cont'd status conference re: Complaint for: (1) Slander of title; (2) Disallowance of claim [11 U.S.C. §502(b)]; (3) Avoidance of lien; [FRBP 7001]; (4) Declaratory relief; (5) Punitive damages; and (6) Attorneys' fees and costs fr. 8/4/20, 7/7/21, 8/3/21, 9/7/21

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/7/21. No tentative ruling on the merits. Appearances are required on 9/14/21 to discuss rescheduling the closing arguments in the trial, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Video/audio web address: <https://cacb.zoomgov.com/j/1614109523>

ZoomGov meeting number: 161 410 9523

Password: 686823

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

Party Information

Debtor(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz

Defendant(s):

Ammec, Inc.

Pro Se

**United States Bankruptcy Court
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11:00 AM

CONT... People Who Care Youth Center, Inc.

Chapter 11

Greta Curtis

Pro Se

Plaintiff(s):

People Who Care Youth Center, Inc.

Represented By
John-Patrick M Fritz
David B Golubchik

**United States Bankruptcy Court
Central District of California
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Tuesday, September 14, 2021

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11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#3.00 Cont'd hearing re: Motion to dismiss bankruptcy case
fr. 4/28/21, 5/5/21, 7/7/21

Docket 284

Tentative Ruling:

Updated tentative ruling as of 9/13/21. No tentative ruling on the merits. Appearances are required on 9/14/21 to discuss the status of the pending settlement discussions between the parties and the mediation before Retired Judge Jury, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Video/audio web address: <https://cacb.zoomgov.com/j/1614109523>

ZoomGov meeting number: 161 410 9523

Password: 686823

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Raymond H. Aver

Joint Debtor(s):

Shabnam Mesachi

Represented By
Raymond H. Aver

Movant(s):

Shahriar Joseph Zargar

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, September 14, 2021

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11:00 AM

CONT...

Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

Raymond H. Aver

Shabnam Mesachi

Represented By
Raymond H. Aver

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, September 14, 2021

Hearing Room 1675

11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#4.00 Cont'd status conference re: Motion for contempt
fr. 3/31/21, 5/5/21, 7/7/21

Docket 205

Tentative Ruling:

Updated tentative ruling as of 9/13/21. No tentative ruling on the merits. Appearances are required on 9/14/21 to discuss the status of the pending settlement discussions between the parties and the mediation before Retired Judge Jury, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Video/audio web address: <https://cacb.zoomgov.com/j/1614109523>

ZoomGov meeting number: 161 410 9523

Password: 686823

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

**United States Bankruptcy Court
Central District of California
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Tuesday, September 14, 2021

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11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#5.00 Cont'd hearing re: Debtors' objection to amended claim no. 9 and motion to estimate claim for purposes of voting and distribution
fr. 3/31/21, 5/5/21, 7/7/21

Docket 103

Tentative Ruling:

Updated tentative ruling as of 9/13/21. No tentative ruling on the merits. Appearances are required on 9/14/21 to discuss the status of the pending settlement discussions between the parties and the mediation before Retired Judge Jury, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Video/audio web address: <https://cacb.zoomgov.com/j/1614109523>

ZoomGov meeting number: 161 410 9523

Password: 686823

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

**United States Bankruptcy Court
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Los Angeles
Judge Robert Kwan, Presiding
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11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#6.00 Cont'd hearing re: Motion for relief from stay
(Wells Fargo Bank, N.A. VS Debtors)
fr. 6/29/21, 7/27/21

Docket 297

***** VACATED *** REASON: Cont'd from 9/14/21 to 10/26/21 at 11:00
a.m. per stip & order entered on 9/13/21-mb.**

Tentative Ruling:

Updated tentative ruling as of 9/13/21. Off calendar. Continued by stipulation and order to 10/26/21 at 11:00 a.m. No appearances are required on 9/14/21.

Prior tentative ruling as of 9/11/21. Treat motion as contested matter under FRBP 9014 and set a schedule of pretrial proceedings to resolve disputed issues of material fact regarding valuation of subject property to determine lack of equity cushion and to determine whether reorganization is reasonably in prospect under 11 U.S.C. 362(d)(2). Deny motion as to 11 U.S.C. 362(d)(1) as movant's own computations show that it has a 57% equity cushion which adequately protects its lien. See *In re Mellor*, 734 F.2d 1396 (9th Cir. 1984) (20 percent equity cushion constitutes adequate protection). Sustain evidentiary objections of objecting creditors to declaration testimony relating to valuation of other liens on subject property for lack of foundation (i.e., lack of personal knowledge, lack of authentication) pursuant to FRE 602 and 901. Appearances are required on 9/14/21 to discuss the scheduling of pretrial proceedings and evidentiary hearing, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Video/audio web address: <https://cacb.zoomgov.com/j/1614109523>

ZoomGov meeting number: 161 410 9523

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**United States Bankruptcy Court
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11:00 AM

CONT... Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Raymond H. Aver

Joint Debtor(s):

Shabnam Mesachi

Represented By
Raymond H. Aver

**United States Bankruptcy Court
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11:00 AM

2:18-11525 Shahriar Joseph Zargar and Shabnam Mesachi

Chapter 11

#7.00 Cont'd status conference re: Management of chapter 11 case
fr. 3/31/21, 5/5/21, 7/7/21

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/13/21. No tentative ruling on the merits. Appearances are required on 9/14/21 to discuss the status of the pending settlement discussions between the parties and the mediation before Retired Judge Jury, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Video/audio web address: <https://cacb.zoomgov.com/j/1614109523>

ZoomGov meeting number: 161 410 9523

Password: 686823

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

**United States Bankruptcy Court
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Los Angeles
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11:00 AM

2:18-11525 Shahriar Joseph Zargar

Chapter 11

Adv#: 2:18-01144 Shadsirat v. Zargar et al

#8.00 Cont'd status conference re: Complaint (1) objecting to dischargeability of debt pursuant to 11 U.S.C. §523(a)(2); (2) objecting to dischargeability of debt pursuant to 11 U.S.C. § 523(a)(4); (3) objecting to dischargeability of debt pursuant to 11 U.S.C. §523(a)(6); and, (4) for declaratory relief requesting adjudication of pending state court lawsuits fr. 3/31/21, 5/5/21, 7/7/21

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/13/21. No tentative ruling on the merits. Appearances are required on 9/14/21 to discuss the status of the pending settlement discussions between the parties and the mediation before Retired Judge Jury, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Video/audio web address: <https://cacb.zoomgov.com/j/1614109523>

ZoomGov meeting number: 161 410 9523

Password: 686823

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

Party Information

Debtor(s):

Shahriar Joseph Zargar

Represented By
Ashley M McDow

Defendant(s):

Shahriar Joseph Zargar

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, September 14, 2021

Hearing Room 1675

11:00 AM

CONT... Shahriar Joseph Zargar

Chapter 11

Shabnam Mesachi

Pro Se

Joint Debtor(s):

Shabnam Mesachi

Represented By
Ashley M McDow

Plaintiff(s):

Behrouz Shadsirat

Represented By
Rosendo Gonzalez

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, September 14, 2021

Hearing Room 1675

1:30 PM

2:00-000000 LOG IN ZOOM INFO. FOR 1:30 P.M., 2:00 P.M. & 2:30

Chapter

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Video/audio web address: <https://cacb.zoomgov.com/j/1609684455>

ZoomGov meeting number: 160 968 4455

Password: 332763

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

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Tuesday, September 14, 2021

Hearing Room 1675

1:30 PM

CONT...

LOG IN ZOOM INFO. FOR 1:30 P.M., 2:00 P.M. & 2:30

Chapter

<https://www.cacb.uscourts.gov/judges/honorable-robert-n-kwan> under the "Telephonic Instructions" section.

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Docket 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
Los Angeles
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Courtroom 1675 Calendar**

Tuesday, September 14, 2021

Hearing Room 1675

1:30 PM

2:20-18515 Fereidoun Chaparli

Chapter 7

Adv#: 2:20-01687 Roozafzai et al v. Chaparli et al

#9.00 Cont'd status conference re: Complaint to determine non-dischargeability of debts/claims
[11 U.S.C. §§523(a)(2), 523(a)(4), and 523(a)(6)]
fr. 2/16/21, 3/30/21, 6/29/21

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/13/21. The court notes that plaintiff filed an amended proof of service on 4/8/21 indicating service on defendant on 12/28/20. However, plaintiff has not filed a request for entry of default, nor has he filed a motion for default judgment. Plaintiff will need to proceed with default judgment proceedings or the court will set a pretrial and trial schedule. Appearances are required on 9/14/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Video/audio web address: <https://cacb.zoomgov.com/j/1609684455>

ZoomGov meeting number: 160 968 4455

Password: 332763

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

Prior tentative ruling as of 6/25/21. Plaintiff to address when he will file a request for entry of default based on lack of timely response to service of the summons and complaint. Appearances are required on 6/29/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Prior tentative ruling. The court has reviewed plaintiff's unilateral status

**United States Bankruptcy Court
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1:30 PM

CONT... Fereidoun Chaparli

Chapter 7

report. Plaintiff to address when he will file a request for entry of default based on lack of timely response to service of the summons and complaint. Appearances are required on 3/30/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Party Information

Debtor(s):

Fereidoun Chaparli

Represented By
John Asuncion

Defendant(s):

Fereidoun Chaparli

Pro Se

DOES 1-20

Pro Se

Plaintiff(s):

Hassan Roozafzai

Represented By
Shahrokh Mokhtarzadeh

Ghodsieh "Vida" Roozafzai

Represented By
Shahrokh Mokhtarzadeh

Trustee(s):

John P Pringle (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, September 14, 2021

Hearing Room 1675

1:30 PM

2:19-12016 MINSEOK LEE

Chapter 7

Adv#: 2:19-01163 Starbucks Corporation v. Lee

#10.00 Cont'd status conference re: Complaint and demand for jury trial
fr. 3/2/21, 5/4/21, 8/10/21

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/13/21. The court has recently listened to the audio file for the status conference in this matter on 6/30/20, and heard that the court had adopted the schedule of proceedings set forth in its tentative ruling for the status conference below after counsel for both sides indicated their agreement with the schedule and counsel for plaintiff agreed to submit a proposed scheduling order as the court requested:

Tentative ruling for 6/30/20 status conference:

"The court will inquire whether the parties have fully complied with the meet and confer requirement of LBR 7026-1. Set a discovery cutoff date of 12/31/20 and a post-discovery status conference on 1/12/21 at 1:30 p.m. The court does not set the matter for a pretrial conference at this time in light of the current uncertainty from the COVID-19 pandemic and its effect on when the court will be conducting in person trials. At the postdiscovery status conference, the court will discuss with counsel the possibility of conducting the trial remotely by videoconference technology. The court will also discuss the possibility of referral to the court's voluntary mediation program.

Appearances are required on 6/30/20, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, this court is only conducting hearings with telephonic appearances for this matter and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic

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CONT... MINSEOK LEE

Chapter 7

appearance through CourtCall is posted on the court's website."

The court also heard it requesting counsel for plaintiff, Mr. Figgins, agree to lodge a proposed scheduling order, and Mr. Figgins agreeing to do so, and at the end of the status conference, the court reminded Mr. Figgins not to forget to lodge the proposed scheduling order. However, counsel for plaintiff never lodged the proposed scheduling order, and there is no written scheduling order on file.

However, the court had set a discovery cutoff date of 12/31/20, which has not been changed. Discovery is now cut off, and the court should set a pretrial conference and a trial in this matter.

Appearances are required on 9/14/21 to set pretrial conference and trial dates, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Video/audio web address: <https://cacb.zoomgov.com/j/1609684455>

ZoomGov meeting number: 160 968 4455

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Revised and updated tentative ruling as of 8/10/21. The court has reviewed defendant's unilateral status report filed on 8/9/21. The status conference in this matter has been continued to facilitate settlement discussions between the parties, but apparently, such discussions have not taken place or have not been fruitful. Defendant recommends that a pretrial conference be set no earlier than 10/1/21, which seems reasonable in the court's view. Since the parties are not able to settle the matter, a pretrial conference should be set to prepare the matter for trial. Appearances are required on 8/10/21, but counsel and self-represented parties must appear through Zoom for

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1:30 PM

CONT... MINSEOK LEE

Chapter 7

Government in accordance with the court's remote appearance instructions.

Prior tentative ruling as of 5/3/21. No tentative ruling on the merits.
Appearances are required on 5/4/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Prior tentative ruling as of 2/24/21. No tentative ruling on the merits.
Appearances are required on 3/2/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Prior tentative ruling as of 2/1/21. The court has listened to the audio file for the last status conference on 6/30/20, wherein the court had set a discovery cutoff date of 12/31/20, ordered a further status conference for 1/12/21 at 1:30 p.m., ordered the parties to mediation to be completed by the further status conference and ordered counsel for plaintiff to submit a proposed scheduling order with these scheduled dates within one week. However, counsel for plaintiff never submitted the scheduling order as the court ordered. For lack of a scheduling order, the court incorrectly noted the further status conference on the docket for 1/21/21 at 1:30 p.m. which was continued to 2/2/21 at 1:30 p.m. The court orders counsel for plaintiff to show cause why sanctions should not be imposed against them for failure to submit a proposed scheduling order as ordered. The parties should discuss the status of mediation and setting a date for a pretrial conference if the matter is not settled. Appearances are required on 2/2/21, but counsel and self-represented parties must appear by telephone.

Party Information

Debtor(s):

MINSEOK LEE

Represented By
Jaenam J Coe

Defendant(s):

Minseok Lee

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, September 14, 2021

Hearing Room 1675

1:30 PM

CONT... MINSEOK LEE

Chapter 7

Plaintiff(s):

Starbucks Corporation

Represented By
Shayne Figgins
Maria Keller

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 14, 2021

Hearing Room 1675

1:30 PM

2:14-22240 Shany Benmoshe

Chapter 7

Adv#: 2:20-01060 Ben-Moshe et al v. California State Board Of Equalization et al

#11.00 Order to show cause why adversary proceeding should not be dismissed or other sanctions not be imposed for lack of prosecution

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/13/21. Having read counsel's declaration in response to the order to show cause, the court is inclined to discharge the order to show cause without imposing sanctions. Appearances are required on 9/14/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

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Party Information

Debtor(s):

Shany Benmoshe

Represented By
Simon Aron
Barry E Cohen

Defendant(s):

California Department of Tax and

Represented By
John C Keith

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
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Tuesday, September 14, 2021

Hearing Room 1675

1:30 PM

CONT... **Shany Benmoshe**
California State Board Of

Pro Se

Chapter 7

Plaintiff(s):

Shany Ben-Moshe

Represented By
Barry E Cohen

Shany Benmoshe

Represented By
Barry E Cohen

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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2:14-22240 Shany Benmoshe

Chapter 7

Adv#: 2:20-01060 Ben-Moshe et al v. California State Board Of Equalization

#12.00 Cont'd status conference re: Complaint for 1. declaratory relief; 2. Violation of discharge fr. 6/8/21, 6/15/21, 8/17/21

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/11/21. Since discovery has been taken and appears to be completed, and mediation was unsuccessful, the court intends to abide by the scheduling order of 8/18/21 requiring the parties to file a joint pretrial stipulation by 10/26/21 and setting a pretrial conference for 11/2/21 at 2:00 p.m. Having read counsel's declaration in response to the order to show cause, suggesting that the matter be stayed until debtor can file a new Chapter 7 bankruptcy case in October 2022 on the theory that the debt would be dischargeable in such a case, first, the suggestion is not made in a proper motion, and second, the court is of the view that such suggestion and theory are not well-taken. The tax debt if upheld would still be nondischargeable in a post-October 2022 case as in this case because it is a debt within the meaning of 11 U.S.C. 507(a)(8)(C) as a tax required to be collected or withheld and for which the debtor is liable in whatever capacity. The issue, it seems to the court, is that either he is liable as a responsible person or not. Appearances are required on 9/14/21 to discuss scheduling of further proceedings, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Video/audio web address: <https://cacb.zoomgov.com/j/1609684455>

ZoomGov meeting number: 160 968 4455

Password: 332763

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 14, 2021

Hearing Room 1675

1:30 PM

CONT... Shany Benmoshe

Chapter 7

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

Prior tentative ruling as of 8/16/21. The parties should report if they have completed mediation and discovery, and if the matter is not settled, when it should be set for a pretrial conference. Appearances are required on 8/17/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Prior tentative ruling. The court has reviewed the joint status report and notes that the parties do not agree as to dates for a schedule of pretrial proceedings and whether the matter should be ordered to mediation. No tentative ruling on the merits. Appearances are required on 6/9/20 to discuss scheduling and possible referral to mediation, but counsel and self-represented parties must appear by telephone. Due to the public health emergency from the coronavirus disease (COVID-19) outbreak declared in the State of California and the United States of America and to minimize the spread of the disease from in person social contact, the court is only conducting hearings with telephonic appearances for this matter as the courthouse is currently closed to the public by orders of the United States District Court for the Central District of California and this court and that this court will not be holding in person hearings by the date of this hearing. Counsel and self-represented parties must arrange their telephonic appearances through CourtCall, which is offering a discount on fees for attorneys and waiving all fees for self-represented parties. Information about arranging a telephonic appearance through CourtCall is posted on the court's website.

Party Information

Debtor(s):

Shany Benmoshe

Represented By
Simon Aron
Barry E Cohen

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Robert Kwan, Presiding
Courtroom 1675 Calendar**

Tuesday, September 14, 2021

Hearing Room 1675

1:30 PM

CONT... Shany Benmoshe

Chapter 7

Defendant(s):

California State Board Of

Pro Se

Plaintiff(s):

Shany Ben-Moshe

Represented By
Barry E Cohen

Shany Benmoshe

Represented By
Barry E Cohen

Trustee(s):

David M Goodrich (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, September 14, 2021

Hearing Room 1675

2:00 PM

2:12-15652 Dale Alfred Williams

Chapter 11

#13.00 Cont'd pretrial and technical status conference re: Management of chapter 11 case
fr. 4/7/21, 8/11/21, 8/18/21

Docket 1

Tentative Ruling:

Updated tentative ruling as of 9/7/21. Off calendar. The court on its own motion vacates this further pretrial and technical status conference in light of the pending settlement of the parties and the court having vacated the trial dates and set a further status conference regarding the settlement for 11/17/21 at 11:00 a.m. No appearances are required on 9/14/21.

Party Information

Debtor(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

Movant(s):

Dale Alfred Williams

Represented By
James E Till
Mike D Neue
William N. Lobel
Rika Kido
Leonard M Shulman

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, September 14, 2021

Hearing Room 1675

2:30 PM

2:15-25283 Arturo Gonzalez

Chapter 7

#14.00 Cont'd hearing re: Motion by the chapter 7 trustee objecting to the debtor's amended schedules filed May 27, 2021 (docket no. [504]) to claim a homestead exemption in the real property at 329 Hawaiian Avenue, Wilmington, CA and to claim a "tools of the trade" exemption in commissions fr. 8/5/21

Docket 505

***** VACATED *** REASON: Off calendar per order entered on 9/9/21-
mb.**

Tentative Ruling:

Updated tentative ruling as of 9/9/21. Off calendar, Having considered the moving and opposing papers, the court determines that oral argument on the motion is not necessary, takes the motion under submission, vacates the hearing which is taken off calendar, and is ruling on the motion on the papers pursuant to Local Bankruptcy Rule 9013-1(j)(3) for the reasons set forth in the court's memorandum decision being filed and entered concurrently herewith. A separate final order is being filed and entered concurrently herewith. No appearances are required on 9/14/21.

Prior tentative ruling as of 8/9/21. No tentative ruling on the merits. Appearances are required on 8/10/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Party Information

Debtor(s):

Arturo Gonzalez

Pro Se

Trustee(s):

Wesley H Avery (TR)

Represented By
Brett B Curlee

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Central District of California
Los Angeles
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Tuesday, September 14, 2021

Hearing Room 1675

2:30 PM

CONT...

Arturo Gonzalez

Dennis E McGoldrick

Chapter 7

**United States Bankruptcy Court
Central District of California
Los Angeles
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Tuesday, September 14, 2021

Hearing Room 1675

2:30 PM

2:17-23722 Kody Branch of California, Inc.

Chapter 7

#15.00 Hearing re: Trustee's motion to approve sale of estate's interest in certain litigation claims: (a) outside the ordinary course of business; (b) free and clear of liens, claims, and interests under 11 U.S.C. Section 363(f); (c) for good faith determination under 11 U.S.C. Section 363(m); and (d) for waiver of 14 day stay

Docket 440

Tentative Ruling:

Updated tentative ruling as of 9/13/21. Having reviewed the moving papers, the stipulation and order clarifying issues relating to the motion and the lack of timely written opposition to the motion, the court is inclined to grant the motion for the sale of litigation assets free and clear of liens and interests pursuant to 11 U.S.C. 363(f) as a reasonable exercise of the trustee's business judgment for the reasons stated in the moving papers and for lack of timely written opposition, subject to the clarification agreed to between the trustee and certain parties which are named defendants in pending adversary proceedings or prospective adversary proceedings. See LBR 9013-1(f) and (h). The proposed purchaser, Second Generation, Inc., was not a party to the stipulation clarifying issues (i.e., reducing and limiting the litigation assets being sold), and it is unclear that it consents to the motion as clarified. The court has no objection to the proposed overbid procedures. Since the sale is subject to overbids, there is no tentative ruling on determining the good faith purchaser status of the successful purchaser pursuant to 11 U.S.C. 363(m). The court is also inclined to grant the waiver of the 14-day stay on the effectiveness of the sale order pursuant to FRBP 6004(h) for lack of timely written objection. Appearances are required on 9/14/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Video/audio web address: <https://cacb.zoomgov.com/j/1609684455>

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CONT... Kody Branch of California, Inc.

Chapter 7

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

Party Information

Debtor(s):

Kody Branch of California, Inc.

Represented By
John-Patrick M Fritz

Trustee(s):

Wesley H. Avery

Represented By
Kristofer R McDonald
Richard A Marshack
D Edward Hays
David Wood
Jeffrey L Sumpter

**United States Bankruptcy Court
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Tuesday, September 14, 2021

Hearing Room 1675

2:30 PM

2:20-19099 Steven Castellanos Lara

Chapter 7

#16.00 Hearing re: Trustee's final report and account;
Application for fees and expenses
[Peter J. Mastan, Chapter 7 Trustee]

Docket 32

Tentative Ruling:

Updated tentative ruling as of 9/11/21. Off calendar. In light of the lack of any timely written opposition to the final report and fee application of the trustee, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final report and fee application pursuant to Local Bankruptcy Rule 9013-1(f) and (h), rules on the final report and fee application on the papers, and approves the final report and fee application for the reasons stated in the final report and fee application and for lack of timely written opposition. No appearances are required on 9/14/21. Trustee to lodge a proposed order within 7 days of hearing.

Video/audio web address: <https://cacb.zoomgov.com/j/1609684455>

ZoomGov meeting number: 160 968 4455

Password: 332763

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

Party Information

Debtor(s):

Steven Castellanos Lara

Represented By
Daniel King

**United States Bankruptcy Court
Central District of California
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Tuesday, September 14, 2021

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CONT... Steven Castellanos Lara

Chapter 7

Trustee(s):

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court
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2:19-10246 Dean Henrik Okland

Chapter 7

#17.00 Cont'd hearing re: Trustee's final report and account;
Application for fees and expenses
[Howard M. Ehrenberg, Chapter 7 Trustee]
fr. 8/31/21

Docket 146

Tentative Ruling:

Updated tentative ruling as of 9/13/21. Off calendar. In light of the lack of any timely written opposition to the trustee's final report and fee application for the trustee, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final report and fee application pursuant to Local Bankruptcy Rule 9013-1(f) and (h), rules on the final report and fee application on the papers, and approves the final report and fee application for the reasons stated in the final report and fee application and for lack of timely written opposition. No appearances are required on 9/14/21. Trustee to lodge a proposed order within 7 days of hearing.

Video/audio web address: <https://cacb.zoomgov.com/j/1609684455>

ZoomGov meeting number: 160 968 4455

Password: 332763

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

Prior tentative ruling. The court on its own motion continues the hearing on the trustee's final report and fee application to 9/14/21 at 2:30 p.m. on grounds that as indicated on the proof of service of the fee application of

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CONT...

Dean Henrik Okland

Chapter 7

counsel for trustee, Jeffrey Shinbrot, counsel for trustee failed to serve a judge's copy of his application as required by LBR 5005-2(d) as the application is 48 pages long, well in excess of the pandemic exception under the court's General Order 21-05 of 25 pages or less. The court has ordered counsel to serve a copy of his application by mail no later than 8/31/21, so the court receives it in time for review before the continued hearing on 9/14/21. Meanwhile, the court will hear all the professional applications in this case at the same time, and will also continue the other pending fee applications, including this one, to the same date and time. No appearances are required on 8/31/21.

Party Information

Debtor(s):

Dean Henrik Okland

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot

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2:19-10246 Dean Henrik Okland

Chapter 7

#18.00 Cont'd hearing re: Application for fees and expenses
[Resnik Hayes Moradi LLP, Former General Bankruptcy Counsel for the Debtor]
fr. 8/31/21

Docket 102

Tentative Ruling:

Updated tentative ruling as of 9/13/21. Off calendar. In light of the lack of any timely written opposition to the final fee application of the former general bankruptcy counsel for the debtor in possession, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application pursuant to Local Bankruptcy Rule 9013-1(f) and (h), rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 9/14/21. Applicant or trustee to lodge a proposed order within 7 days of hearing.

Video/audio web address: <https://cacb.zoomgov.com/j/1609684455>

ZoomGov meeting number: 160 968 4455

Password: 332763

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

Prior tentative ruling. The court on its own motion continues the hearing on the fee application to 9/14/21 at 2:30 p.m. on grounds that as indicated on the proof of service of the fee application of counsel for trustee, Jeffrey Shinbrot, counsel for trustee failed to serve a judge's copy of his application as required

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CONT...

Dean Henrik Okland

Chapter 7

by LBR 5005-2(d) as the application is 48 pages long, well in excess of the pandemic exception under the court's General Order 21-05 of 25 pages or less. The court has ordered counsel to serve a copy of his application by mail no later than 8/31/21, so the court receives it in time for review before the continued hearing on 9/14/21. Meanwhile, the court will hear all the professional applications in this case at the same time, and will also continue the other pending fee applications, including this one, to the same date and time. No appearances are required on 8/31/21.

Party Information

Debtor(s):

Dean Henrik Okland

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot

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2:19-10246 Dean Henrik Okland

Chapter 7

#19.00 Cont'd hearing re: Application for fees and expenses
[Jeffrey S. Shinbrot, APLC, Attorney for Chapter 7 Trustee]
fr. 8/31/21

Docket 143

Tentative Ruling:

Updated tentative ruling as of 9/13/21. Off calendar. In light of the lack of any timely written opposition to the final fee application of the attorney for the trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application pursuant to Local Bankruptcy Rule 9013-1(f) and (h), rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 9/14/21. Applicant or trustee to lodge a proposed order within 7 days of hearing.

Video/audio web address: <https://cacb.zoomgov.com/j/1609684455>

ZoomGov meeting number: 160 968 4455

Password: 332763

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

Prior tentative ruling. The court on its own motion continues the hearing on the fee application to 9/14/21 at 2:30 p.m. on grounds that as indicated on the proof of service of the application, applicant failed to serve a judge's copy of the application as required by LBR 5005-2(d) as the application is 48 pages long, well in excess of the pandemic exception under the court's General

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CONT... Dean Henrik Okland Chapter 7

Order 21-05 of 25 pages or less. The court orders applicant to serve a copy of his application by mail no later than 8/31/21, so the court receives it in time for review before the continued hearing on 9/14/21. No appearances are required on 8/31/21.

Party Information

Debtor(s):

Dean Henrik Okland

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot

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2:19-10246 Dean Henrik Okland

Chapter 7

#20.00 Cont'd hearing re: Application for fees and expenses
[Menchaca & Company LLP, Accountant for Chapter 7 Trustee]
fr. 8/31/21

Docket 144

Tentative Ruling:

Updated tentative ruling as of 9/13/21. Off calendar. In light of the lack of any timely written opposition to the final fee application of the accountant for the trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application pursuant to Local Bankruptcy Rule 9013-1(f) and (h), rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 9/14/21. Applicant or trustee to lodge a proposed order within 7 days of hearing.

Video/audio web address: <https://cacb.zoomgov.com/j/1609684455>

ZoomGov meeting number: 160 968 4455

Password: 332763

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

Prior tentative ruling. The court on its own motion continues the hearing on the fee application to 9/14/21 at 2:30 p.m. on grounds that as indicated on the proof of service of the fee application of counsel for trustee, Jeffrey Shinbrot, counsel for trustee failed to serve a judge's copy of his application as required by LBR 5005-2(d) as the application is 48 pages long, well in excess of the

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CONT...

Dean Henrik Okland

Chapter 7

pandemic exception under the court's General Order 21-05 of 25 pages or less. The court has ordered counsel to serve a copy of his application by mail no later than 8/31/21, so the court receives it in time for review before the continued hearing on 9/14/21. Meanwhile, the court will hear all the professional applications in this case at the same time, and will also continue the other pending fee applications, including this one, to the same date and time. No appearances are required on 8/31/21.

Party Information

Debtor(s):

Dean Henrik Okland

Pro Se

Trustee(s):

Howard M Ehrenberg (TR)

Represented By
Jeffrey S Shinbrot